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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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International Business Machines Corporation
Intellectual Property Law Department
Internal Zip 4054
11400 Burnet Road
Austin, TX 78758

EXAMINER

SMITH, PETER J

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/589,666	BAWEJA ET AL.	
	Examiner	Art Unit	
	Peter J Smith	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 July 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 4-18 and 23-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 4-18 and 23-34 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 7/16/2004.
2. Claims 4-18 and 23-34 are pending in the case. Claims 4, 9, 14, and 23 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 4-18 and 23-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis, US 6,076,109 filed 01/30/1997 in view of Donoho et al.(hereafter referred to as Donoho), US 6,604,130 B2 continuation of application filed 3/19/1999.**

Regarding independent claim 4 and dependent claim 5, Kikinis teaches HTML, a first set of natural language data, with a first set of tags, conveying a first version of the information of a particular content displayable to users at said display stations in fig. 4 and col. 2 lines 32-67. Kikinis teaches HTL, a condensed version of HTML and thus a second set of natural language data, with a second set of tags, conveying a second version of condensed displayable information of the same particular content displayable to users of personal palm-type display computers connected to remote locations in fig. 4 and col. 2 lines 32-67. Kikinis teaches a means for

accessing the second set of natural language data from a received Hypertext Markup Language document in fig. 4 and col. 2 lines 32-67.

Kikinis teaches that both sets of natural language data and identifying tags are available to the same computer, the proxy server, but does not teach that the two sets of natural language are combined and contained within the same markup language document file. Donoho teaches combining two version of the data content within one file and allowing the destination to choose the appropriate display method in col. 22 lines 15-21. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used this technique of creating the alternates before the file is requested to have modified Kikinis with the teachings of Donoho to have completed the work done by the proxy server before the HTML request was received and to have combined the two versions of the web page into one file allowing the destination computer to have chosen the display alternative. This would have allowed the requesting browser to have received the requested data faster because the conversion of the full HTML to the reduced quality HTML would have already been performed and all that would have been required at that point would have been to have transmitted the data to the client computer.

Regarding dependent claim 6, Kikinis teaches a browser associated with the personal palm computer and a means responsive to the second set of tags to transmit the second set of natural language data to the personal palm computer in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding dependent claim 7, Kikinis teaches a receiving display station associated with a personal palm-type display computer and a means whereby the personal palm computer

accesses the World Wide Web through the receiving display station in fig. 4, col. 2 lines 32-67 and col. 8 lines 16-52.

Regarding dependent claim 8, Kikinis teaches a means responsive to said second set of tags to transmit the second set of natural language data to the personal palm computer in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding independent claim 9 and dependent claim 10, Kikinis teaches HTML, a first set of natural language data, with a first set of tags, conveying a first version of the information of a particular content displayable to users at said display stations in fig. 4 and col. 2 lines 32-67. Kikinis teaches HTL, a condensed version of HTML and thus a second set of natural language data, with a second set of tags, conveying a second version of condensed displayable information of the same particular content displayable to users of personal palm-type display computers connected to remote locations in fig. 4 and col. 2 lines 32-67. Kikinis teaches a means for accessing at the palm-type display computer the second set of natural language data from a received Hypertext Markup Language document in fig. 4 and col. 2 lines 32-67.

Kikinis teaches that both sets of natural language data and identifying tags are available to the same computer, the proxy server, but does not teach that the two sets of natural language are combined and contained within the same markup language document file. Donoho teaches combining two version of the data content within one file and allowing the destination to choose the appropriate display method in col. 22 lines 15-21. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used this technique of creating the alternates before the file is requested to have modified Kikinis with the teachings of Donoho to have completed the work done by the proxy server before the HTML request was received and to

have combined the two versions of the web page into one file allowing the destination computer to have chosen the display alternative. This would have allowed the requesting browser to have received the requested data faster because the conversion of the full HTML to the reduced quality HTML would have already been performed and all that would have been required at that point would have been to have transmitted the data to the client computer.

Regarding dependent claim 11, Kikinis teaches accessing the World Wide Web through a browser including the step of transmitting the second set of natural language data to a personal palm computer responsive to the second set of tags in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding dependent claim 12, Kikinis teaches accessing the World Wide Web by a personal palm computer through an associated receiving display station in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding dependent claim 13, Kikinis teaches transmitting a second set of natural language data to a personal palm computer responsive to a second set of tags in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding independent claim 14 and dependent claim 15, Kikinis teaches HTML, a first set of natural language data, with a first set of tags, conveying a first version of the information of a particular content displayable to users at said display stations in fig. 4 and col. 2 lines 32-67. Kikinis teaches HTL, a condensed version of HTML and thus a second set of natural language data, with a second set of tags, conveying a second version of condensed displayable information of the same particular content displayable to users of personal palm-type display computers connected to remote locations in fig. 4 and col. 2 lines 32-67. Kikinis teaches

a means for accessing the second set of natural language data from a received Hypertext Markup Language document in fig. 4 and col. 2 lines 32-67.

Kikinis teaches that both sets of natural language data and identifying tags are available to the same computer, the proxy server, but does not teach that the two sets of natural language are combined and contained within the same markup language document file. Donoho teaches combining two version of the data content within one file and allowing the destination to choose the appropriate display method in col. 22 lines 15-21. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used this technique of creating the alternates before the file is requested to have modified Kikinis with the teachings of Donoho to have completed the work done by the proxy server before the HTML request was received and to have combined the two versions of the web page into one file allowing the destination computer to have chosen the display alternative. This would have allowed the requesting browser to have received the requested data faster because the conversion of the full HTML to the reduced quality HTML would have already been performed and all that would have been required at that point would have been to have transmitted the data to the client computer.

Regarding dependent claim 16, Kikinis teaches a means responsive to a second set of tags to transmit a second set of natural language data to a personal palm computer in col. 8 lines 16-52.

Regarding dependent claim 17, Kikinis teaches a receiving display station associated with a personal palm-type display computer and a means whereby the personal palm computer accesses the World Wide Web through a receiving display station in fig. 4 and col. 2 lines 32-67.

Regarding dependent claim 18, Kikinis teaches a means responsive to a second set of tags to transmit a second set of natural language data to a personal palm computer in fig. 4, col. 2 lines 32-67, and col. 8 lines 16-52.

Regarding independent claim 23 and dependent claim 24, Kikinis teaches HTML, a first set of natural language data, with a first set of tags, conveying a first version of the information of a particular content displayable to users at said display stations in fig. 4 and col. 2 lines 32-67. Kikinis teaches HTL, a condensed version of HTML and thus a second set of natural language data, with a second set of tags, conveying a second version of condensed displayable information of the same particular content displayable to users of personal palm-type display computers connected to remote locations in fig. 4 and col. 2 lines 32-67. Kikinis teaches a means for accessing the second set of natural language data from a received Hypertext Markup Language document in fig. 4 and col. 2 lines 32-67.

Kikinis teaches that both sets of natural language data and identifying tags are available to the same computer, the proxy server, but does not teach that the two sets of natural language are combined and contained within the same markup language document file. Donoho teaches combining two version of the data content within one file and allowing the destination to choose the appropriate display method in col. 22 lines 15-21. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used this technique of creating the alternates before the file is requested to have modified Kikinis with the teachings of Donoho to have completed the work done by the proxy server before the HTML request was received and to have combined the two versions of the web page into one file allowing the destination computer to have chosen the display alternative. This would have allowed the requesting browser to have

received the requested data faster because the conversion of the full HTML to the reduced quality HTML would have already been performed and all that would have been required at that point would have been to have transmitted the data to the client computer.

Regarding dependent claims 25-28, Kikinis teaches at least one additional set of natural language data conveying an additional version of condensed displayable information of the same particular content displayable to users of other personal palm-type display computers connected to remote locations and at least one additional set of tags identifying at least one additional set of natural language data in fig. 4 and col. 2 lines 32-67.

Regarding dependent claims 29-32, Kikinis teaches a first set of natural language data which includes a portion of a second set of natural language data in fig. 4 and col. 2 lines 32-67.

Regarding dependent claim 33, Kikinis teaches a proxy server associated with a browser for transmitting proxy condensed versions of Web HTML document to personal palm-type computer and a means for overriding proxy servers to thereby permit the accessing by palm-type computers of a second set of natural language data conveying a second version of condensed displayable data in fig. 4 and col. 2 lines 32-67.

Regarding dependent claim 34, Kikinis teaches normally providing a condensed version of Web HTML documents to personal palm-type computers and overriding proxy servers to thereby permit the accessing by palm-type computer of a second set of natural language data conveying a second version of condensed displayable data in fig. 4 and col. 2 lines 32-67.

Response to Arguments

5. Applicant's arguments filed 7/16/2004 have been fully considered but they are not persuasive. In response to Applicant's argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Kikinis creates the two versions of the markup language document, but not until after the request for the markup language document is made. Thus, the elements and goal of the claimed invention are present in Kikinis, but not performed in the same order of creating two versions of the markup language document before the request for the markup language document is received. The Examiner believes Donoho et al. (hereinafter "Donoho") is networked communications art related to Kikinis and would have been known to one of ordinary skill in the art at the time of the invention. The Examiner does not rely on Donoho for a particular feature, but rather relies on the motivation taught by Donoho expressing the advantage of providing two different versions of the same source document and allowing the destination client to choose the appropriate version. Thus, the teaching of Donoho would have taught and motivated one of ordinary skill in the art at the time of the invention to have reordered the creation of the second markup language version as taught by Kikinis to before the request for the document from the personal palm-type computer.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
4/11/2005



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER